

**REMARKS/ARGUMENTS**

Claims 5-8, 10-14, 16, 18-19 and 27-30 are pending in this application. By this Amendment, claims 1-4, 9, 15, 17 and 20-26 are canceled without prejudice or disclaimer, claims 5-6, 10-11, 13, 16 and 19 are amended and claims 27-30 are added. Reconsideration in view of the above amendments or the following remarks is respectfully requested.

A. The Office Action rejects claims 2-4 under §103(a) over U.S. Patent No. 6,429,737 to O'Brien (hereafter "O'Brien '737") and U.S. Patent No. 6,473,009 to Grosso et al. (hereafter "Grosso") and U.S. Patent No. 6,567,379 to McPherson. The Office Action further rejects claims 9 and 22-26 under §103(a) over O'Brien '737 and U.S. Patent No. 5,796,359 to Beard.

Applicants respectfully submit that the rejections are moot because the indicated claims have been canceled. Withdrawal of the rejections is respectfully requested.

B. The Office Action rejects claims 1, 5, 19-21 and 24 under 35 U.S.C. §102(e) over O'Brien '737. The Office Action further rejects claims 6-7 under §103(a) over O'Brien '737, U.S. Patent No. 5,940,021 to Ahn and U.S. Patent No. 6,107,876 to O'Brien (hereafter "O'Brien '876"). The Office Action further rejects claim 8 under §103(a) over O'Brien '737, Ahn, O'Brien '876 and U.S. Patent No. 6,683,494 to Stanley. The Office Action further rejects claim 10 under §103(a) over O'Brien '737, Beard and McPherson. The Office Action further rejects claim 11 under §103(a) over O'Brien '737, Beard, McPherson and U.S. Patent No. 6,538,523 to Sugital et al. (hereafter "Sugital"). The Office Action further rejects claim 12 under §103(a) over O'Brien

'737, Beard, McPherson, Sugital and Stanley. Since the references, individually or in combination, do not result in recited features, the rejections are respectfully traversed.

With respect to claim 5, Applicants respectfully submit that O'Brien '737 fails to disclose claimed features as required under §102. For example, O'Brien '737 fails to disclose at least features of gain control means for receiving the audio signals received at the plurality of pulse width modulation means, wherein the control gain means independently controls gains of the received audio signals according to individual channels as recited in claim 5.

In contrast, Applicants respectfully submit O'Brien '737 discloses volume control 114 receives the single output (i.e., parallel) from serial interface 113 and scales the data. See column 2, lines 8-33 of O'Brien '737. O'Brien '737 discloses the serial interface circuit 113 that converts serial data to parallel data at the input sampling rate. The serial data input to serial interface 113 can be provided via any number of channels. A system having one channel input to the serial interface circuit 113 is shown in Figure 1 of O'Brien '737. Channel selection is accomplished through mechanical schemes so that the serial interface 113 outputs the parallel digital audio signal. Thus, although Figure 1 of O'Brien '737 shows a serial interface 113 that can be connected to 1 to 6 channels, Applicants respectfully submit volume control 114 is a single volume control for the output signal from the serial interface 113. See column 1, line 53-column 2, line 7 of O'Brien '737 and column 4, lines 6-24 of O'Brien '876 and Figure 1 of both applications. Further, Applicants respectfully submit that O'Brien '737 or O'Brien '876 do not teach or suggest any

modification to its disclosure that would result in at least features of gain control means independently controls schemes of the received audio signals according to individual channels and combinations thereof as recited in claim 5.

Applicants respectfully submit that Ahn, O'Brien '876, Stanley, McPherson and Sugital do not teach or suggest at least features of a gain control means lacking from O'Brien '737. Thus, O'Brien '737, Ahn, O'Brien '876, Stanley, Beard, McPherson and Sugital, individually or in combination, would not result in at least features of gain control means and combinations thereof as recited in claim 5.

With respect to claim 6, the Office Action admits O'Brien '737 does not disclose a plurality of gain controllers, a plurality of comparators, AGC means for variably controlling as recited in claim 6, but asserts Ahn discloses such features. Applicants respectfully submit that the first comparator 60 in Ahn does not provide an input to an AGC magnetic head 10. In contrast, Ahn discloses apparatus 51 forwarding a digital signal to a microprocessor. See at least Figures 6, 7 and 8 and column 9, lines 44-45 and 65-66 of Ahn. Further, Applicants respectfully submit that Ahn and O'Brien '737 do not teach or suggest any modification to their disclosure that would result in features recited in claim 6 and combinations thereof.

For at least the reasons set forth above, Applicants respectfully submit that claims 5 and 6 define patentable subject matter. Claim 19 defines patentable subject matter for at least reasons similar to claim 5. Claims 6-8, 10-12 depend from claim 5 and therefore also define patentable

subject matter for at least that reason as well as their additionally recited features. Claims 1 and 20-21 and 24 are canceled without prejudice or disclaimer. Withdrawal of the rejections of claims 1, 5-8, 10-12, 19-21 and 24 under §103 is respectfully requested.

C. The Office Action rejects claims 13-15 and 17 under §103(a) over U.S. Patent No. 7,047,325 to Kondo et al. (hereafter "Kondo") and O'Brien '737. The Office Action further rejects claims 16 and 18 under §103(a) over Kondo, O'Brien '737 and Beard. Since the references, individually or in combination, do not teach or suggest recited features the rejections are respectfully traversed.

The Office Action asserts Kondo discloses an audio-visual receiver including features of a reader, a tuner, a decoder and a speaker. Applicants respectfully submit that Kondo discloses an integrated processing box 1 includes a plurality of K input devices  $11_1 \dots 11_K$  coupled to terminals 2, M output devices  $12_1 \dots 12_M$  coupled to terminals 3 and N storage devices  $13_1 \dots 13_N$  connected through terminals 4. Kondo discloses integrated processing box 1, for example as shown in Figure 2, includes integrated processor 27 having a variable processing group 28 and common processing group 29 that respectively perform the common processing and variable processing. See Figures 1-2 and column 7, line 43-column 8, line 16 of Kondo.

Applicants respectfully submit that the Office Action cites "a reader" from a DVD player 96a operating as a storage device (regular, Fig. 38), a tuner 61 from a CRT monitor operating an output device (regular, Fig. 18), a decoder 81 from a liquid crystal monitor operating as an output

device (regular, Fig. 22) and a speaker 306 operating in a computer system (Fig. 22) respectively coupled to an integrated processing box 27 to disclose features of the audio-visual receiver recited in claim 13. Applicants respectfully submit that the Office Action does not provide any rationale for combining the portions of separate devices used in completely separate functions relative to the integrated processor 27 of Kondo to result in a single device as recited in claim 13. Thus, Applicants respectfully submit that the Office Action uses impermissible hindsight to reconstruct the claimed features since only by Applicants' specification as a guide could such features be chosen. Thus, Applicants respectfully submit that the combination of features as asserted by the Office Action is improper.

However, even if combined, Applicants respectfully submit that Kondo does not teach or suggest at least features of an audio visual receiver including a reader, a tuner, a decoder, a PWM device including a plurality of gain controllers that independently control gains of the received audio signals according to individual channels and combinations thereof as recited in claim 13. Thus, as set forth above, Applicants respectfully submit that Kondo, O'Brien '737 and Beard do not teach or suggest at least features of an audio visual receiver having a plurality of gain controllers that independently control gains of the received audio signals according to individual channels and combinations thereof as recited in claim 13.

For at least the reasons set forth above, Applicants respectfully submit that claim 13 defines patentable subject matter. Claims 14-18 depend from claim 13 and therefore also define

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patentable subject matter. Withdrawal of the rejection of claims 13-18 under §103 is respectfully requested.

D. Claims 27-30 are newly added by this Amendment and believed to be in condition for allowance.

### CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Carl R. Wesolowski**, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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